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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,711	10/17/2000	Olivier Walter	Q61269	1495

7590 01/20/2004
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Washington, DC 20037-3213

EXAMINER

PHAN, MAN U

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 01/20/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/688,711

Applicant(s)

Walter et al.

Examiner

Man Phan

Art Unit

2665



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 17, 2000
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Oct 17, 2002 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 6) ☐ Other:

DETAILED ACTION

1. The application of Walter et al. for the "Telecommunications equipment" filed 10/17/2000 has been examined. This application claims foreign priority based on the application 9913498 dated 10/28/1999 filed in France. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. Claims 1-2 are pending in the application.

Drawings

2. Figures 1 & 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the

computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc. The Abstract of the disclosure is objected to because it contains the legal phraseology "means" (line 6), and "said" (lines 4, 5, 8, 9). Correction is required.

Claim Objections

4. Claim 1 is objected to because of the following informalities:

The claims contain the phrase "adapted to" on line 2. It has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison*, 69 USPQ 138. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming

the subject matter which the applicant regards as his invention.

6. Claim 1 recites the limitation "said specific requests" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christie (US#6,108,341) in view of McConnell (US#6,560,327).

With respect to claim 1, both Christie (US#6,108,341) and McConnell (US#6,560,327) disclose a novel method and system for communications control processing in telecommunications signaling according to the essential features of the claims. Christie provides a communications control processing in telecommunications signaling. The method includes receiving a first signal into a processor which is located externally to the switches in a network comprised of network elements. The processor selects a network characteristic in response to the first signal. The processor then

generates a second signal reflecting the network characteristic and transmits the second signal to at least one network element. This transmission occurs before that network element has applied the first signal. Examples of network characteristics are network elements and connections, but there are others. Examples of signaling are Signaling System #7 or broadband signaling. The processor may also employ information received from the network elements or operational control when making selections. In one embodiment, the method includes receiving the first signal into a network from a point and routing the first signal to the processor (Col. 3, lines 31 plus and Col. 22, lines 10 plus).

In the same field of endeavor, McConnell (US#6,560,327) provides methods and systems for using a mediated service logic to provide telecommunications services, in which a first service control point (SCP), located in the first telecommunications network, has a plurality of service logic modules, including a first mediated service logic module, and a second SCP, located in the second telecommunications network has a plurality of service logic modules, including a second mediated service logic module. When a service switching point (SSP) in the first telecommunications network determines that intelligent network services are required to process the call, it transmits a query message to the first SCP. The first SCP consults the relevant customer's service profile to determine which service logic module to execute to provide the requested service, and the first SCP then executes this service logic module. If the first mediated service logic module is thereby executed, then it transmits an internetwork query message to the second SCP to invoke the service logic needed to provide the service. The second mediated service logic

module in the second SCP receives the internetwork query message, executes the necessary service logic module, and transmits to the first SCP an internetwork response message containing the information needed to provide the service (Col. 6, lines 22 plus). McConnell further teaches in Fig. 4 a functional block diagram illustrated a telecommunications network 100, in which the mediated service logic allows for communication between a LEC SCP 102 and an ASP SCP 104 (Col. 8, lines 16 plus and Col. 18, lines 22 plus).

Regarding claim 2, Christie and McConnell differ from the claim in that the claim requires a high-level interface and low-level interface for receiving signaling messages. However, the reliance on a commonly known standard such as the use of *"high-level interface and low-level interface"* in the manner claimed would have been obvious to the artisan as a matter of the communication processing, and their utilizing for *"receiving signaling messages corresponding to the requests"* in signaling processing is considered well known in the art when making routing choices. There are a number of software products on the market today that provide interfaces between application programs and peripheral devices. These interfaces are sometimes characterized as low or high level interfaces, and device independent or dependent. A high level interface is one whose operations request big-picture strategic services, such as "display this document." A low level interface is one whose operations request tactical services specifically, such as "tell the video card to copy the 64.times.64 pixel region from a location starting at address 0000001 to a location starting at 1000000 in video memory". In general, a high level interface may be easier for a programmer to use, but a low level interface may provide

better performance and direct access to specific functionality. Ease of use at the high comes from having fewer details to take care of, while better performance at the low level comes from taking advantage of special cases the hardware handles well. In general, high level interfaces tend to be device independent because they hide details, whereas low level interfaces tend to be device dependent because they reveal details. Furthermore, Christies teaches that any intelligent interface between the two networks would require that signaling information be transmitted between narrowband switches and broadband switches. At present, the ability of these switches to signal each other is limited. These switch limitations create a major obstacle in any attempt to interface the two networks. It would be advantageous if narrowband and broadband networks could interwork through an intelligent interface to establish a communications path between points. At present, the interface between narrowband and broadband networks remains a rigid access pipe between overlay systems (Col. 3, lines 6 plus). Christie's processing system also includes a translator that is coupled to the interface and is operational to identify particular information in the received signaling and to generate new signaling based on new information. The processor also includes a processor that is coupled to the translator and is operational to process the identified information from the translator in order to select at least one network characteristic. The processor provides new information to the translator reflecting the selection. The identified information is used in the processor before it is used in the particular network elements that receive the new signaling (Col. 3, lines 50 plus).

One skilled in the art would have recognized the need for effectively and

efficiently processing telecommunications signaling, and would have applied McConnell's teaching of the predetermined service logic module in establishing a communication pathway into Christie's novel use of the communication control processing in telecommunications signaling. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply McConnell's method and system for providing telecommunications services using mediated service logic into Christie's methods, system and apparatus for telecommunications control with the motivation being to provide a method and system for call control in signaling processing..

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Christie et al. (US#6,181,703) is cited to show the system for managing telecommunications.

The Hammer et al. (US#6,363,431) is cited to show the international signaling gateway.

The Weiland et al. (US#6,522,876) is cited to show the system for managing telecommunications services through use of customized profile management codes.

The Lindquist et al. (US#5,852,660) is cited to show the network protocol conversion module within a telecommunications system.

The Hutchings et al. (US#6,269,252) is cited to show the programmable bridging apparatus to connect multiple networks of different protocols.

The Mainwaring et al. (US#6,282,202) is cited to show the method for internal communication in a telecommunications system.

The Breidenstein et al. (US#5,239,542) is cited to show the TDM switching system for interconnecting telephone circuits which operate in accordance with different signaling system and call formats.

The Feltner et al. (US#6,515,997) is cited to show the method and system for automatic configuration of a gateway translation function.

The Darland et al. (US#5,793,771) is cited to show the communication gateway.

The Kelly et al. (US#6,493,353) is cited to show the communications signaling gateway and system for an advanced service node.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Phan whose telephone number is (703)305-1029. The examiner can normally be reached on Mon - Fri from 6:30 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703)305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

11. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 305-9051, (for formal communications intended for entry)

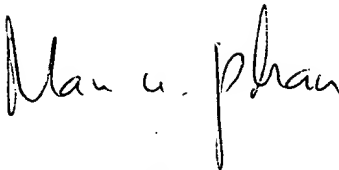
Or: (703) 305-3988 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Mphan

01/15/2004



**MAN PHAN
PATENT EXAMINER**